

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
At Charleston**

**MICHAEL RHODES, and  
ROBERT RHODES,**

**Plaintiffs,**

**v.**

**Civil Action No. 2:18-CV-01179  
Judge John T. Copenhaver, Jr.**

**WEST VIRGINIA DIVISION OF  
PROTECTIVE SERVICES, et al.,**

**Defendants.**

**NOTICE OF SETTLEMENT AND  
REQUEST FOR SUSPENSION OF SCHEDULING ORDER**

**COME NOW** the Defendants, the West Virginia Division of Protective Services, Gregory Scott Fernatt, Robert K. Herald, Scott Duff, John Workman, Travas Bennett, and Jack Chambers, by counsel, Christopher C. Ross, and Pullin, Fowler, Flanagan, Brown & Poe, PLLC, notify this honorable Court that the parties have reached a settlement of this civil action and are in the process of completing the settlement process. As such, the Defendants, by agreement with Plaintiffs' Counsel, request a suspension of the current Scheduling Order to permit this process to come to conclusion, at which time Plaintiffs will submit a Dismissal of their claims.

THE WEST VIRGINIA DIVISION OF  
PROTECTIVE SERVICES, GREGORY SCOTT  
FERNATT, ROBERT K. HERALD,  
SCOTT DUFF, JOHN WORKMAN,  
TRAVAS BENNET, AND JACK CHAMBERS

By Counsel

/s/ Christopher C. Ross  
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Honorable John Copenhaver, Jr.**

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**Defendants.**

**CERTIFICATE OF SERVICE**

The undersigned counsel for defendants, West Virginia Division of Protective Services and its officers Gregory Scott Fernatt, Robert K. Herald, Scott Duff, John Workman, Travas Bennett, and Jack Chambers do hereby certify on this 9<sup>th</sup> day of December, 2019, that a true copy of the foregoing “*Notice of Settlement and Request for Suspension of Scheduling Order*” was served upon counsel of record via the Court’s CM/ECF filing system and electronic mail per FRCP 5(b)(2)(E) as follows:

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